

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371MSA 260
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/531559

INTERNATIONAL APPLICATION NO.
PCT/DE01/01903INTERNATIONAL FILING DATE
May 20, 2001

PRIORITY DATE CLAIMED

TITLE OF INVENTION

Method and Device for the alignment and location of a sample ...

APPLICANT(S) FOR DO/EO/US

Norbert Kraemer

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.
14. A SECOND or SUBSEQUENT preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER		
10/531559 PCT/DE01 101903		MSA 260		
21. <input type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1000.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	9 - 20 =		x \$18.00	\$
Independent claims	3 - 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00		\$
TOTAL OF ABOVE CALCULATIONS =				\$
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+		\$
SUBTOTAL =				\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =		\$ 1250		\$
		Amount to be refunded:	\$	
		charged:	\$	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0224</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: right;"><u>HORST M. KASPER</u></p> <p style="text-align: center;">SIGNATURE</p> <p style="text-align: center;"><u>HORST M. KASPER</u></p> <p style="text-align: center;">NAME</p> <p style="text-align: center;"><u>28,559</u></p> <p style="text-align: center;">REGISTRATION NUMBER</p>				

10/531559

JC12 Rec'd PCT/PTC 14 APR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Norbert Kraemer

Serial No:

Art Unit:

Filing Date:

Title: METHOD AND DEVICE FOR THE ALIGNMENT AND LOCATION OF A SAMPLE SUCH A TABLE, PILLS OR TABLETTES.

Priority Application: Country: Germany; No.: 10024970.1; Filing Date: May 22, 2000

PCT Application: No.: PCT/DE01/01903 Filing Date: May 20, 2001

April 13, 2005

Attorney's Docket No.: MSA260T1

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks

BOX PCT

Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

TOTAL CLAIMS:	Basic fee:	\$ 500.00
	9 - 20 = X \$ 18.00 = \$	
INDEPENDENT CLAIMS:	3 - 3 = X \$ 80.00 = \$	

<X> Applicant claims a small entity status.

<X> Form PTO-1390

<X> Copy of the PCT application No. PCT/DE01/01903 as published – Publication No. WO 01/90743 (1 cover page, 15 pages of the specification, 4 drawing sheet)

<X> English Translation of International Patent Application No. PCT/DE01/01903 (1 cover page, 16 pages of the specification, 4 drawing sheet)

<X> Declaration and Power of Attorney for Patent Application dated April 12, 2005 (5 pages)

<X> International Search report (3 pages)

<X> English Translation of International Search Report (3 pages)

<X> International Preliminary Examination Report (3 pages)

<X> English Translation of the International Preliminary Examination Report (3 pages)

<X> Information Disclosure Submission dated April 13, 2005 (2 pages)

<x> Form PTO-1449 (2 pages)

<X> Reference No.: 4,236,143

<X> Reference No.: 5,555,768

<X> Reference No.: 5,140,861

<X> Reference No.: 4,393,717

<X> Reference No.: WO 98/19945

<X> Reference No.: WO 85/03278

<X> Reference No.: DE 19516643 C1

10/531559

JC120 'd PCT/PTO 14 APR 2005

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 500)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Norbert Kraemer
Examiner Name	
Art Unit	
Attorney Docket No.	MSA 260

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

11-0224

Horst M. Kasper

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	150
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$ 500)

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1250)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Horst M. Kasper	Registration No. (Attorney/Agent)	28,559	Telephone (908)5261717
Signature	Horst M. Kasper			Date 4-13-05

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

10/531559

JC12 Rec'd PCT/PTC 14 APR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Norbert Kraemer

Serial No:

Filing Date:

Title: METHOD AND DEVICE FOR THE ALIGNMENT AND LOCATION OF A SAMPLE SUCH A TABLETS, PILLS OR TABLETTES.

Priority Application: Country: Germany; No.: 10024970.1; Filing Date: May 22, 2000

PCT Application: No.: PCT/DE01/01903 Filing Date: May 20, 2001

April 13, 2005

Attorney's Docket No.: MSA260R1

**REQUEST TO ACCEPT PATENT APPLICATION FOR ENTERING
UNITED STATES NATIONAL PHASE UNDER 35 USC §371**

Hon. Commissioner of Patents and Trademarks

Box PCT

Washington, D.C. 20231

SIR:

A patent application related to the above identified application was filed on May 20, 2001 under the PCT Treaty under the docket number PCT/DE01/01903. English translation of the originally filed PCT application PCT/D01/01903 is enclosed with this filing.

It is respectfully requested that the present application be treated as an application filed under the Section 35 U.S.C. § 371 for transferring a PCT application PCT/D01/01903, naming the United States, into the national phase and that the present application be granted any and all benefits and in particular those benefits relating to a priority recognition of prior filings under jurisdiction of treaty members and available under the Patent Cooperation Treaty (Washington Treaty), the Paris Convention Treaty, and under the United States Code based on the filing under the Patent Cooperation Treaty of PCT application PCT/D01/01903.

10/531559

JC12 REC'D PCT/PTC 14 APR 2005

If there should be any problems in granting the benefits available under the Patent Cooperation Treaty and/or 35 USC §371 based on such items as incompleteness of application, excessive time delays or defective application papers, then it is alternatively respectfully requested that prior to the expiration through abandonment of a filing under 35 USC §371 and under charging the required fees from deposit account, the present application be treated as an application and/or continuation application filed at a time required under any one of the sections 35 U.S.C. §111, 35 U.S.C. §363, and/or 35 U.S.C. §365(c) as applicable and that the present application be treated as a continuation or continuation-in-part application of the PCT application PCT/D01/01903.

Recognition of PCT national phase status or, respectively, continuation or continuation-in-part status under the PCT Treaty is respectfully requested for the patent application documents in the above captioned matter.

Respectfully submitted,
Kraemer Norbert.

By: Horst M Kasper
Horst M. Kasper, his attorney,
13 Forest Drive, Warren, N.J. 07059
Tel.:(908)526-1717 Fax:(908)526-6977
Reg. No. 28,559; Docket No.: MSA260

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